COUNTY OF NEVADA

STATE OF CALIFORNIA

Vice Chair Heidi Hall, District I
Supervisor Ed Scofield, District II
Supervisor Lisa Swarthout, District III
Supervisor Susan Hoek, District IV
Chair Hardy Bullock, District V

Jeffrey Thorsby, Chief of Staff/Clerk of the Board Alison Lehman, County Executive Officer Katharine L. Elliott, County Counsel



BOARD OF SUPERVISORS

950 Maidu Avenue, Suite 200 Nevada City, CA 95959-8617 (530) 265-1480 Fax: (530) 265-9836

bdofsupervisors@nevadacountyca.gov

AGENDA

Date Time Location

Tuesday, April 23, 2024 1:30 PM

Board Chamber, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

The Board of Supervisors welcomes you to their regular meeting. This meeting will take place during an afternoon session beginning at 1:30 p.m.

Beginning at 1:30 p.m., the County of Nevada will hold its regularly scheduled meeting of the Board of Supervisors from inside the Board Chamber, located at the Eric Rood Administrative Center, 950 Maidu Avenue, First Floor, Nevada City, CA 95959. This meeting is open to in-person attendance.

Members of the public who are unable to attend in person may watch this meeting live on Nevada County Media Comcast Channel 17 in western County and on Optimum Channels 18 and 78 in eastern County, or through the web at www.nevadacountyca.gov/boardmeetings and www.YouTube.com/c/CountyofNevadaCA. Please refer to page 10 for information on how to participate in the meeting, as well as the various options being made available for members of the public to provide comment in both western and eastern County.

The Board Chamber is accessible to people with disabilities. Anyone requiring reasonable accommodation to participate in the meeting should contact the Clerk of the Board's office by calling (530) 265-1480 at least four days prior to the meeting. TTY/Speech-to-Speech users may dial 7-1-1 for the California Relay Service. Closed Captioning is available for hearing impaired viewers.

The agenda and all supporting documents are available for review during regular business hours at the Clerk of the Board office, 950 Maidu Avenue, 2nd Floor, Suite 200, Nevada City, California. This agenda and certain supporting documents may be obtained on the Clerk of the Board's website at www.nevadacountyca.gov/boardmeetings. To view the supporting documents on this agenda for a particular item, click on the SR number to the left of the item. Please note that the on-line agenda may not include all related or updated documents. Proposed actions and supporting documents are considered draft until acted upon by the Board. All items listed on the agenda may be acted upon by the Board of Supervisors.

REGULAR MEETING:

AFTERNOON SESSION 1:30 PM

STANDING ORDERS:

Call the meeting to order.

Pledge of Allegiance.

Corrections and/or deletions to agenda.

CONSENT CALENDAR:

These items are expected to be routine and noncontroversial. The Board of Supervisors will act upon them at one time without discussion. Any Board member may request that an item be removed from the consent calendar for discussion. Members of the public wishing to ask questions or hear discussion on items listed under the consent agenda, may raise their concerns to the Board members prior to the consent agenda being introduced. The Supervisors will take the concerns under consideration and decide if there is adequate reason to remove the item from consent.

Behavioral Health Director: Phebe Bell

- Resolution approving Amendment 1 to the Standard Agreement 22-20120 with the California Department of Health Care Services for the County's operation of the Mental Health Plan (Res 22-471) to align contract language with changed policies and regulations, and authorizing the Chair of the Board of Supervisors to execute the amendment.
- Resolution approving Amendment 1 to the contract between the County of Nevada and Granite Wellness Centers for the provision of Perinatal and Non-Perinatal Outpatient Drug Free Treatment and Intensive Outpatient Treatment Services; Comprehensive Residential Treatment Program Services; and Substance Abuse Prevention and Treatment Services, to residents of Nevada County (Res. 23-358), revising Exhibit "A" Schedule of Services and Exhibit "B" Schedule of Charges and Payments to add the purchase of twenty-two dedicated beds at the Bost House Residential Treatment facility within the current contract maximum, and authorizing the Chair of the Board of Supervisors to execute the amendment.
- Resolution approving Amendment 1 to the contract between the County of Nevada and Common Purpose for the provision of recovery residence services for Nevada County Medi-Cal beneficiaries (Res. 23-301), increasing the maximum contract price from \$222,000 to \$270,000, and revising Exhibit "B", Schedule of Charges and Payments to reflect the increase in the maximum contract price for Fiscal Year 2023/24 for the contract term of July 1, 2023, through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the amendment.

Public Health Director: Kathy Cahill

- 4. SR 24-0653 Resolution approving Grant Agreement Number 23-10972 with the California Department of Public Health Center for Infectious Diseases through the Ryan White HIV/AIDS Program (Part B)/HIV Care Program Award for the term April 1, 2024, through March 31, 2029, in the maximum amount of \$261,635 (\$52,327 per year), and authorizing the Chair of the Board of Supervisors to execute the agreement.
- SR 24-0380

 Resolution approving an amendment to the agreement with Partnership HealthPlan of California (Res. 23-572) to replace Attachments B and D to add in missing billing information and Public Health Clinic medical specialties under the current evergreen Agreement, for the term commencing January 1, 2024, and in effect until terminated, and authorizing the Chair of the Board of Supervisors to execute the amendment.

Director of Social Services: Rachel Peña

- Resolution approving Amendment 1 to the Memorandum of Understanding (MOU) between the Health and Human Services Agency Department of Social Services and the Nevada-Sierra Connecting Point Public Authority for reimbursement of the Career Pathways Program (Res. 23-205) to update Section II item 2 to include ACL 24-02 and to amend Section III and Section IV item D to extend the contract term end date from December 31, 2023, to September 30, 2024, and authorizing the Director of Social Services to execute the amendment.
- 7. SR 24-0663 Resolution proclaiming April 2024 as Child Abuse and Neglect Prevention Month in Nevada County.

Child Support Services and Housing Director: Mike Dent

Resolution authorizing a lease rider agreement to the Ground Lease Agreement between the County of Nevada and Grass Valley PSH Associates pertaining to County-owned property located at 936 Old Tunnel Rd., Grass Valley, CA (APN 035-400-054) designated as the location of the Brunswick Commons affordable housing project (Res. 19-358) to comply with terms and conditions of an allocation authorized by the California Tax Credit Allocation Committee, and authorizing the Nevada County Facilities Director to execute the agreement and any further riders or amendments to the Ground Lease Agreement. (Housing)

9. <u>SR 24-0698</u>

Resolution approving a subordination agreement between the County of Nevada and Berkadia Commercial Mortgage, LLC, for the loan between the County of Nevada, in its capacity as the administrator of the Western Nevada County Regional Housing Trust Fund, and Affordable Housing Development Corporation through Nevada City Cashin's Field, a Limited Partnership, for the amount of \$1,575,000 used for construction of "Cashin's Field," a 51-unit low- income multi-family housing project, and authorizing the Chair of the Board of Supervisors to execute the agreement. (Housing)

Chief Probation Officer: Jeff Goldman

10. SR 24-0683 Resolution approving Amendment 1 to the personal services contract between the County of Nevada and SCRAM of California, Inc. for the provision of continuous remote electronic monitoring for alcoholic consumption and electronic monitoring, to increase the maximum amount of the contract from \$40,000 to \$70,000 for fiscal year 2023/24, and authorizing the Chair of the Board of Supervisors to execute the

Sheriff-Coroner/Public Administrator: Shannan Moon

amendment.

- 11. SR 24-0616 Resolution authorizing a professional services contract with Sutter Buttes Communications, Inc., to provide installation services of Motorola portable radios and antennas for the Sheriff's Office, in an amount not to exceed \$90,180, for the contract term of April 1, 2024, to June 30, 2025, and authorizing the Chair of the Board of Supervisors to execute the contract.
- 12. SR 24-0690 (Introduce/Waive further reading/Adopt) An Uncodified Urgency Ordinance repealing and replacing Uncodified Urgency Ordinance 2508 adopting a Military Equipment Use Policy pursuant to AB 481. (4/5 Affirmative vote required)

Environmental Health Director: Amy Irani

Resolution approving the Memorandum of Understanding (MOU) between the County of Nevada and the City of Nevada City to establish roles and responsibilities to implement SB 1383 regulations regarding organic waste, and authorizing the Chair of the Board of Supervisors to execute the MOU.

Acting Public Works Director: George Schureck

- 14. SR 24-0679 Resolution approving Exchange Program Agreement No. X24-5917(116) for the Federal Apportionment Exchange Program and State Match Program, and authorizing the Chair of the Board of Supervisors to execute the agreement.
- 15. SR 23-4872 Resolution approving the Notice of Acceptance and Completion for the 2023 Nevada County Thermoplastic and MMA Safety Project County Project No. 225037 (Res. 23-413), with the contract between the County of Nevada and Specialized Pavement Markings, LLC., costs totaling \$701,287.57, and directing the Clerk of the Board of Supervisors to record the notice in accordance with Civil Code section 9208.

16.	SR 24-0519	Resolution approving the Count	y Maintained Mileage (Certification for 2024. (A)	ll dist.)
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- Resolution accepting the Department of Resource Recycling and Recovery

 (CalRecycle) SB 1383 Local Assistance Grant Program Funding (OWR4) in the amount of \$182,132, and authorizing the Director of the Department of Public Works to execute additional documents. (Solid Waste)
- Resolution approving Amendment 2 to the agreement between the County of Nevada and R3 Consulting Group, Inc. for SB 1383 Program Development Services, approving Amendment 2 to Memorandum of Understanding (MOU) with the City of Grass Valley, authorizing the Chair of the Board of Supervisors to execute the amendments, and directing the Auditor-Controller to amend the fiscal year 2023/24 Solid Waste Western budget. (4/5 affirmative vote required) (Solid Waste)

Director of Human Resources: Steven Rose

- 19. SR 24-0696 Resolution amending Authorized Personnel Staffing Resolution 23-338, as amended.
- 20. SR 24-0697 Resolution amending Authorized Personnel Salary Resolution 23-339, as amended.

Chief Information Officer: Landon Beard

21. SR 24-0673 Resolution approving an amendment to the contract between the County of Nevada and CivicPlus, Inc. for the CivicEngage and CivicPlus Government Content Management System to add one Department Header package at a one-time cost of \$6,901.30 plus an ongoing cost of \$1,276.86 commencing in the second year following implementation, and authorizing the Chair of the Board of Supervisors to execute the amendment.

Director of Facilities Management: Justin Drinkwater

- 22. SR 24-0316 Resolution approving a standard public works contract between the County of Nevada and GW Demolition, Inc. for the demolition of damaged former DOT buildings 12548 Loma Rica Road, Grass Valley, CA 95945, for \$178,877 plus 10% contingency of \$17,888 for a total of \$196,765, authorizing the Purchasing Agent to execute change orders up to the contingency amount, authorizing the Chair of the Board of Supervisors to execute the contract and directing the Auditor-Controller to amend the fiscal year 2023/24 Capital Facilities budget. (4/5 Affirmative vote required)
- Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Buskirk Construction Inc. for the Bear River Library Tenant Improvement Project (Res. 22-631) with contract costs totaling \$835,574, and directing the Clerk of the Board to record the Notice in accordance with Civil Code section 9208.

County Counsel: Katharine L. Elliott

24.	SR 24-0688	Resolution approving Amendment 6 to personal services contract between the County	
		of Nevada and Meyers Nave, extending the term of the contract to June 30, 2025, and	
		increasing the contract price by \$75,000 for a maximum contract price of \$475,000 and	
		authorizing the Chair of the Board to execute the amendment. (4/5 Affirmative vote	
		required)	

25. SR 24-0809 (Waive further reading/Adopt) An Ordinance amending and renumbering all sections of the Nevada County Administrative, General and Land Use Codes.

Chief of Staff: Jeffrey Thorsby

26.	SR 24-0686	Appointment of Bobbi Luster to the First 5 Nevada County Children and Families First
		Commission as the Greater Truckee Area member representing interests of children for
		an unexpired 2-year term ending October 31, 2025.

- 27. SR 24-0816 Acknowledge Supervisor Hoek's appointment of Lisa Duggins-Rogers and Laura Zieman as members to the Penn Valley Municipal Advisory Council (MAC) for unexpired two-year terms ending June 30, 2025.
- 28. SR 24-0674 Accept the resignation of Jon Katis as Board of Supervisors representative from the Area 4 Agency on Aging Advisory Council, effective March 20, 2024.

Regular meeting of the Board of Directors of the Nevada County Sanitation District No. 1.

Call the meeting to order:

Recess as the Nevada County Board of Supervisors and convene as the Nevada County Sanitation District No. 1 Board of Directors.

Sanitation District Consent:

These items are expected to be routine and noncontroversial. The Board of Directors will act upon them at one time without discussion. Any Board member may request that an item be removed from the consent calendar for discussion. Members of the public wishing to ask questions or hear discussion on items listed under the consent agenda, may raise their concerns to the Board members prior to the consent agenda being introduced. The Directors will take the concerns under consideration and decide if there is adequate reason to remove the item from consent.

Acting Public Works Director: George Schureck

29. SR 24-0650 Resolution authorizing the Nevada County Sanitation District No. 1 to purchase two new Kohler generators for a total of \$88,543, and directing the Auditor-Controller to amend the fiscal year 2023/24 budget and release fund balance. (4/5 Affirmative vote required)

County Counsel: Katharine L. Elliott

30. SR 24-0814 (Waive further reading/Adopt) An Ordinance amending and renumbering all sections of the Nevada County Sanitation District Code.

Sanitation District Public Comment:

SR 24-0836

Members of the public shall be allowed to address the Board of Directors on items not appearing on the agenda that are of interest to the public and are within the subject matter jurisdiction of the Board. (Please refer to page 10 for information on the various options being made available for members of the public to provide comment in both western and eastern county.)

Sanitation District Adjournment:

Adjourn the meeting of the Nevada County Sanitation District No. 1 Board of Directors and reconvene as the Nevada County Board of Supervisors.

SCHEDULED ITEM: 1:30 PM

Acting Public Works Director: George Schureck

31. SR 24-0651

Resolution approving the Local Traffic Mitigation Fees and the Regional Transportation Mitigation Fees, approving annual inflation adjustment, and accepting amendments to the 2023 Nexus Studies.

PUBLIC COMMENT:

SR 24-0835

Members of the public shall be allowed to address the Board of Supervisors on items not appearing on the agenda that are of interest to the public and are within the subject matter jurisdiction of the Board. (Please refer to page 10 for information on the various options being made available for members of the public to provide comment in both western and eastern county.)

*DEPARTMENT HEAD MATTERS:

County Executive Officer: Alison Lehman

32. SR 24-0805

Resolution accepting a grant from the Regional Resilience Grant Program in the amount of \$650,000 from the California Governor's Office of Planning and Research for the Building Climate in the Central Sierra Region project, authorizing the Community Development Agency Director or designee to sign all related documents to execute the grant agreement and partnership agreements, and directing the Auditor-Controller to amend the fiscal year 2023/24 Community Development Agency's Recreation budget in the amount of \$330,000. (4/5 Affirmative vote required)

Director of the Office of Emergency Services: Craig Griesbach

- 33. SR 24-0695 Informational presentation from the Nevada County Office of Emergency Services and Sheriff's Office regarding the Nevada County Evacuation Study.
- Resolution approving the contract between the Nevada County Office of Emergency Services and USA Waste of California, Inc. for community green waste mitigation in the amount of \$100,000 for use during the period of April 23, 2024, through December 31, 2024, authorizing the Director of Emergency Services to execute the contract, and directing the Auditor-Controller to amend the fiscal year 2023/24 Emergency Services budget.
- Resolution approving license agreement between the County of Nevada and the Gold Country Kiwanis for use of the Nevada County Eric Rood Administrative Center for the Nineteenth Annual Health, Safety, and Fire Preparedness Carnival to take place on May 4, 2024, and authorizing the Director of Emergency Services to execute the agreement.

*INDIVIDUAL BOARD MEMBER ITEMS:

District 5 Supervisor: Hardy Bullock

36. SR 24-0812 Resolution proclaiming the month of May 2024 as "Bicycle Month".

*CLOSED SESSION:

37. SR 24-0831 Pursuant to Government Code § 54956.9(d)(2), County Counsel is requesting a closed session with the Board of Supervisors to discuss a matter in which there is a significant threat of litigation against the County.

*ANNOUNCEMENTS:

Pursuant to Government Code section 54954.2, Board members, County Executive Officer and Chief of Staff may make a brief announcement or brief report on his or her activities. Board members, County Executive Officer, and Chief of Staff may also provide a reference to staff or other resources for factual information, request staff to report back to the Board at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

ADJOURNMENT:

*(The Board of Supervisors can discuss these items at any time during the meeting.)

This agenda was posted on bulletin boards 72 hours in advance of the meeting at the following locations:

- 1. Eric Rood Administrative Center: outside Board office, outside Board Chambers, and outside main entrance.
- 2. Truckee Town Hall Administrative Center, 10183 Truckee Airport Road, Truckee, CA 96161.
- 3. Outside the District V Board of Supervisors office, Truckee Town Hall Administrative Center.
- 4. Online at www.nevadacountyca.gov/boardmeetings and nevco.legistar.com/Calendar.aspx.

Posted: April 18, 2024.

WAYS TO WATCH AND LISTEN DURING THE MEETING:

This Board of Supervisors meeting is open to the public. Staff and members of the public may observe the meeting using the options listed below. Online streaming of Board of Supervisors meetings is provided to members of the public as a courtesy. If an internet connection falters for any reason and there are no Board members attending the meeting remotely, the Board of Supervisors will continue the public meeting in Chambers without online access.

- 1) Watch from inside the Board Chambers.
- 2) View at www.nevadacountyca.gov/boardmeetings and www.YouTube.com/c/CountyofNevadaCA.
- 3) View on Nevada County Media Channel 17 in western County.
- 4) View on Optimum Channels 18 and 78 in eastern County.

PROVIDE PUBLIC COMMENT BEFORE THE MEETING:

- 1) Leaving an eComment at www.nevadacountyca.gov/boardmeetings.
- 2) Writing a letter to the Board of Supervisors at 950 Maidu Ave, Suite 200, Nevada City, CA 95959.
- 3) Emailing BOS.PublicComment@nevadacountyca.gov.

Written or emailed public comments received by 4:00 p.m. the day prior to the meeting will be provided to the Board members electronically or in written format and will become part of the public record.

PROVIDE PUBLIC COMMENT DURING THE MEETING:

1) In-Person:

Eric Rood Administrative Center: Members of the public can provide comment in-person inside the Board of Supervisors' Board Chambers at the Eric Rood Administrative Center.

2) Over the Phone:

Members of the public can call (530) 270-3474 and will be placed in a call-in queue until they are permitted into the meeting for comment.

Please provide your name, City or District of residence, and the agenda item you wish to comment on.

PERSONS DESIRING TO ADDRESS THE BOARD

CONTROL OF MEETING:

The Board Chair shall first caution any individual at the meeting that their behavior is disrupting the meeting and that failure to cease the disruptive behavior could result in removal. After warning, the Chair will request the individual to leave if the individual does not stop their disruptive behavior. Additionally, the Chair reserves the right to recess the meeting until the person leaves or is escorted out and order is restored.

PUBLIC COMMENT:

Matters on the Agenda: The Board shall allow public comment on items appearing on the agenda when the agenda item is considered by the Board. Comments by the public must be relevant to the item on the agenda being considered by the Board. This includes: a. Consent Agenda; b. Community Presentations; c. Department Head Matters; d. Individual Board Member Items; and e. Scheduled Items. At special meetings of the Board, public comment will only be allowed on matters appearing on the agenda.

Matters not on the Agenda: At regular meetings of the Board, members of the public shall be allowed to address the Board of Supervisors on matters not appearing on the agenda which are of interest to the public, and which are within the subject matter jurisdiction of the Board. Pursuant to the Ralph M. Brown Act, the Board shall not take any action or discuss any matter not appearing on the agenda although staff may be asked to briefly respond to or follow up on such items. At special meetings of the Board, public comment will only be allowed on matters appearing on the agenda.

ORDER AND DECORUM:

Individuals or organizations desiring to address the Board shall:

- 1) Address the Board from the designated podium, virtual kiosk, or other designated location, including teleconferencing system(s). Speakers are encouraged but not required to give their name and location of residence before addressing the Board. This is to identify the speaker's supervisorial district.
- 2) Speakers shall direct their comments to the Board, through the Chair, and not to the audience or staff.
- 3) Speakers may comment on specific matters before the Board with reasons for the position taken.
- 4) The Chair may, at their discretion, increase the allotted time for any given speaker, but shall not be required to do so.
- 5) A speaker may not yield time to another speaker.
- 6) No individual may speak more than once during general public comment or on an item on the agenda unless recognized by the Chair as having new information.
- 7) In the interest of civil discourse, the rules as specified in this Order and Decorum of Board Business and Robert's Rules of Order, to the extent such rules are not in conflict with the Brown Act, shall apply at all Board meetings. It shall be the responsibility of the Chair to ensure that public comment is conducted in such a manner in order to avoid disruptive activity, promote mutual respect, keep comments focused on the subject being discussed, avoid personal attacks, prohibit hate speech and the threat of violence.
- 8) At the start of each meeting, the Chair shall remind the public of the rules and expectations of the public including distinguishing the process for: a) public comment for items on the consent agenda; b) general public comment for items not listed on the agenda; and c) public comment for items on the agenda.
- 9) Applicants, applicant representatives, and appellants desiring to speak shall be permitted to speak first during the public comment portion of a public hearing for no more than ten (10) minutes (or fifteen (15) minutes at Appeal Hearings) unless different rules for conducting the hearing are provided by County Code or other applicable law. Time limits may be modified at the Chair of the Board's discretion.

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS (Gov. Code section 84308)

Members of the Board of Supervisors are disqualified and not able to participate in any agenda item involving contracts (other than competitively bid, labor, or personal employment contracts), franchises, discretionary land use permits and other entitlements if the Board member received more than \$250 in campaign contributions from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant who actively supports or opposes the County's decision on the agenda item since January 1, 2023. Members of the Board of Supervisors who have received, and applicants, contractors or their agents who have made, campaign contributions totaling more than \$250 to a Board member since January 1, 2023, are required to disclose that fact for the official record of the subject proceeding. Disclosures must include the amount of the campaign contribution and identify the recipient Board member and may be made either in writing to the Clerk of the Board of Supervisors prior to the subject hearing or by verbal disclosure at the time of the hearing.

PUBLIC HEARINGS:

All members of the public shall be allowed to address the Board on any item which is noticed on the Board's agenda as a public hearing. The Chair of the Board may limit the total amount of time allocated for the public hearing and may limit any individual desiring to address the Board to no more than three (3) minutes. Any person may provide the Board with a written statement in lieu of or in supplement to any oral statement made during a public hearing. Written statements shall be submitted to the Clerk of the Board.

Whenever a public hearing is conducted, the public hearing is closed and the matter is continued to a subsequent meeting for Board deliberation and/or action, the Board shall not allow public comment and/or testimony on that item at the subsequent hearing. However, at the initial public hearing, prior to taking action, the Board may, at its sole discretion, elect to continue the matter and reopen the public hearing. At the subsequent hearing, all information will be considered. The Board may also, at the initial public hearing, prior to taking action, announce that the public hearing is being continued for specific information and the public testimony will only be heard on new information specific to the Board's direction. If, after the public hearing is closed and the Board later decides to reopen the public hearing for public testimony, appropriate notices must be published.

ORDINANCES:

- 1) By statute, an ordinance may be passed immediately upon introduction only after notice and a public hearing.
- 2) An urgency ordinance may be passed immediately upon introduction with a 4/5 affirmative vote.
- 3) All other ordinances shall not be passed within five days of their introduction, nor at other than a regular meeting or at an adjourned regular meeting unless authorized by statute as indicated above. The Board of Supervisors will address ordinances at first readings and will make any amendments. The public is urged to address ordinances at first readings; as passage of ordinances will be held at second readings, after waiving further reading of the ordinance.

INFORMATIONAL CORRESPONDENCE:

The Board may direct any item of informational correspondence to a department head for appropriate action.

REFERENCES:

Board of Supervisors Order and Decorum 2024

Ralph M. Brown Act, California Government Code Sec. 54950, et. seq. (Open meetings law)

Nevada County Land Use Code Sec. L-II 5.12 (Appeals)